United Nations S/2005/235

Security Council

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## Letter dated 11 April 2005 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that the members of the Security Council have decided to send a mission to Haiti from 13 to 16 April 2005, which will be led by Ronaldo Sardenberg, Permanent Representative of Brazil. In his capacity as President of the Council for the month of March, Ambassador Sardenberg transmitted to you the terms of reference of the mission (S/2005/220).

Following consultations among the members, it has been agreed that the composition of the mission is as follows:

Ambassador Ronaldo Mota Sardenberg (Brazil), head of mission
Ambassador Abdallah Baali (Algeria)
Ambassador César Mayoral (Argentina)
Ambassador Joël W. Adechi (Benin)
Ambassador Wang Guangya (China)
Ambassador Lars Faaborg-Andersen (Denmark)
Ambassador Jean-Marc de La Sablière (France)
Minister Counsellor Alexandra Papadopoulou (Greece)
Ambassador Shinichi Kitaoka (Japan)
Ambassador Lauro L. Baja, Jr. (Philippines)
Ambassador Gheorghe Dumitru (Romania)
Ambassador Andrey I. Denisov (Russian Federation)
Ambassador Adam Thomson (United Kingdom of Great Britain and Northern Ireland)
Ambassador Augustine P. Mahiga (United Republic of Tanzania)
Ambassador Anne W. Patterson (United States of America)

The mission will be held in conjunction with the mission of the Ad Hoc Advisory Group on Haiti of the Economic and Social Council.

I should be grateful if you could have this letter circulated as a document of the Security Council.

(*Signed*) **Wang** Guangya
President of the Security Council

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## Letter dated 11 April 2005 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to my letter dated 24 February 2005 (S/2005/127) by which I forwarded to the Security Council, further to paragraph 1 (c) of article 13 ter of the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the 11 nominations for ad litem judges of the Trial Chambers of that Tribunal which had been received from States Members of the United Nations within the 60-day period specified in paragraph 1 (b) of article 13 ter of the statute.

I also have the honour to refer to the letter dated 14 March 2005 (S/2005/159) from the President of the Security Council, in which he informed me of the decision of the Security Council, which was taken at its 5140th meeting, to agree to the suggestion I had made in my letter of 24 February 2005 that the Council extend the deadline for nominations for ad litem judges of the Trial Chambers of the Tribunal until 31 March 2005.

Pursuant to paragraph 1 (c) of article 13 ter of the statute of the Tribunal, I have the honour to forward to the Security Council the 22 nominations for ad litem judges of the Trial Chambers of the Tribunal which have been received from States Members of the United Nations within the period specified in paragraph 1 (b) of article 13 ter of the Tribunal's statute, as extended by the Security Council in the decision taken at its 5140th meeting. The list of candidates,* in alphabetical order, is annexed to this letter, together with the curricula vitae which have been provided in connection with their nominations.

I would draw the attention of the Security Council to paragraph 1 (c) of article 13 ter of the statute which provides in the relevant part as follows: "From the nominations received, the Security Council shall establish a list of not less than 54 candidates, taking due account of the adequate representation of the principal legal systems of the world and bearing in mind the importance of equitable geographical distribution."

I would note that the list of 22 candidates is short of the minimum number of 54 which is required by paragraph 1 (c) of article 13 ter of the statute of the Tribunal. I would accordingly suggest that the Security Council extend the deadline for nominations until 21 April 2005.

* Circulated only to the members of the Security Council.

05-30467 (E) 120405

If the Security Council were to so extend the deadline, I would notify States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters accordingly.

(*Signed*) Kofi A. **Annan**

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General Assembly
Security Council

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**General Assembly**
**Tenth emergency special session**
Agenda item 5
**Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory**

**Security Council**
**Sixtieth year**

## Identical letters dated 10 April 2005 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Israel, the occupying Power, continues to commit systematic human rights violations, State terrorism and even war crimes against the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem. Since my last letter to you, dated 23 March 2005, the Israeli occupying forces have killed four more Palestinian civilians — all children under the age of 14 — and wounded dozens of others.

On Saturday, 9 April 2005, the Israeli occupying forces wilfully killed three Palestinian boys and seriously injured another teenage boy while the youths were playing soccer in the Rafah refugee camp in southern Gaza. The three 14-year-old boys, Hassan Ahmad Abu Zeid, Ashraf Moussa and Khaled Ghannam, were all killed from a single high-calibre bullet -- one in the back, one in the head and one in the neck. This was one of the deadliest incidents since the Palestinian and Israeli sides declared a ceasefire on 8 February 2005. Since then, at least 15 Palestinians have been killed by the Israeli occupying forces, including seven children. Moreover, this latest war crime occurred a day after another 14-year-old boy, Samy Zoubidate, was crushed by an Israeli vehicle in a hit-and-run accident near the illegal Israeli settlement of "Massuah" in the West Bank. Once again, Israel, the occupying Power, has chosen force and its military might rather than dialogue and a peace process as its means of dealing with the Palestinian people under its brutal occupation.

The continuation of aggression committed by the Israeli occupying forces against the Palestinian people, in particular the killing of the three Palestinian boys mentioned above, should be vigorously condemned by the international community. Israel, the occupying Power, will only continue to deliberately violate the fragile ceasefire and to commit its systematic human rights violations, State terrorism and war crimes as long as it continues to believe it can act against the Palestinian people

05-30480 (E) 120405

under its occupation with impunity. The international community, in accordance with the rules and principles of international law, including international humanitarian law, has clear responsibilities in terms of ensuring the proper conduct of the occupying Power, including compliance with its legal obligations and commitments, and we continue to express our strongest hopes that the necessary measures will be taken in this regard.

The present letter is in follow-up to our previous 215 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 23 March 2005 (A/ES-10/298-S/2005/202) constitute a basic record of the crimes committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, I regret to inform you that the death of the four Palestinian children killed by the Israeli occupying forces, in addition to another 14-year-old boy who died from the wounds he sustained, raises the total number of martyrs killed since September 2000 to 3,652. (The names of the martyrs that have been identified are listed in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Somaia **Barghouti**
Chargé d'affaires a.i.

## Annex to the identical letters dated 10 April 2005 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

## Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (Friday, 8 April to Sunday, 10 April 2005)

**Friday, 8 April 2005**

Samy Zoubidate (14 years old)

**Saturday, 9 April 2005**

1. Ashraf Samir Moussa (14 years old)
2. Khaled Fouad Ghannam (14 years old)
3. Hassan Ahmad Abu Zeid (14 years old)

**Sunday, 10 April 2005**

Nasser Samir Al-Saafine (17 years old) (from wounds sustained on 9 January 2005)

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* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 3,652.